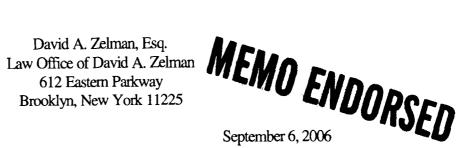
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Via Mail

The Honorable Richard M. Berman United States District Court Judge United States District Court Southern District of New York 40 Centre Street, Room 706 New York, NY 10007

Re:

Dear Judge Berman:

Please be advised that on May 1 attorneys have undertaken to file an appeal of the plan requested as any change in the criminal convicuois matter.

15 ewis v. City of New York et al. O4 CV 3696 (RMB) 2006 this office faxed a letter to Magistrate Judge Fox and

opposing counsel, Sheryl Bruzesse, Esq. advising the Count that the within plaintiff's criminal defense

Following submission of the letter, this office did not receive a response from the Court.

Therefore, the undersigned requests that your Honor permit a stay of discovery in this matter until the appellate process is concluded. Defense counsel has no objection to this request.

We thank your for your consideration in this matter.

Very Truly Yours:

A. Zelman (DZ 8578)

Sheryl A. Bruzzese, Esq. (via fax) cc: Assistant Corporation Counsel

> **USDC SDNY DOCUMENT**

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Page 2 of 2

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David A. Zelman, Esq. Law Office of David A. Zelman 612 Eastern Parkway Brooklyn, NY 11225 (718) 604-3072

May 2, 2006

Honorable Kevin N. Fox United States District Court Southern District of New York 500 Pearl Street New York, New York 10007

Re:

Lewis v. The City of New York

Index #: 04-CV-3696

Honorable Kevin N. Fox:

The undersigned has been informed that Plaintiff's criminal defense attorneys have undertaken an appeal of plaintiff's trial. Following a discussion with defense counsel, wherein defense counsel voiced no objection, the undersigned requests a stay of the above captioned action until the conclusion of the criminal appeal. A favorable ruling in plaintiff's appeal would necessarily impact this action.

Enclosed please find the letter from the Legal Aid Society which is prosecuting the appeal.

Thank-you for your cooperation.

Very Truly Yours:

David A. Zelman

cc:

Sheryl A. Bruzzese, Esq.

Via Fax